



MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

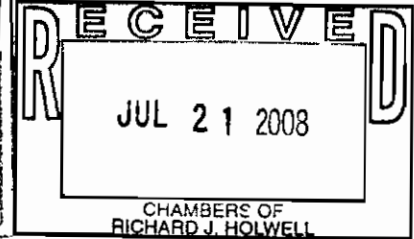
DOUGLAS W. HEIM  
Assistant Corporation Counsel  
phone: (212) 788-1298  
fax: (212) 788-9776  
dheim@law.nyc.gov

July 19, 2008

**BY FAX: (212) 805-7948**

Honorable Richard J. Holwell  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

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Re: Jeffrey Capers v. City of New York, et al., 08 Civ. 3681 (RJH)

Your Honor:

As the Assistant Corporation Counsel, representing defendants in the above-referenced action, I write to respectfully request an adjournment of the July 25, 2008 initial conference schedule for 10:00 a.m. until a later date and time convenient to the Court. I have conferred with plaintiff's counsel and he has consented to the extension and adjournment.

Defendants seek this adjournment because I am presently scheduled for trial before the Honorable Miriam Cedarbaum in the matter of Lajzer Grynsztajn v. City of New York, et al., 07 Civ. 6285 (MGC)(GWG) beginning on Wednesday, July 23, 2008. This office anticipates that the trial will last at least three days, through July 25, 2008. I apologize for any inconvenience to the Court. However, I was only placed on the trial team on July 16, 2008.

Should the Court be inclined to grant defendants' request, both parties are available in the afternoon of Friday, August 1, 2008, and all day on Monday, August 4, 2008, if such dates are convenient to the Court.

One previous adjournment requested by defendants at the outset of this matter, and granted by the Court. Accordingly, defendants respectfully request an adjournment of the July 25, 2008 conference until a date and time convenient to the Court.

Thank you for your consideration herein.

Respectfully submitted,

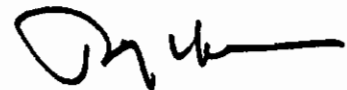


Douglas W. Heim  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Mark L. Lubelsky (By Fax: (212)-255-5552)  
Mark Lubelsky & Associates  
123 West 18th Street  
New York, NY 10011

Conference adjourned  
to 9/04/08 at  
10:00 AM

SV ORDERED



USNT

7/23/08